UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,447	06/09/2000	Steven Neville Chatfield	KCO1003US	4359

7590   03/15/2002

Thomas E Popovich Esq
Popovich & Wiles PA
Suite 1902 IDS Center
80 South 8th Street
Minneapolis, MN 55402

EXAMINER
HINES, JANA A

ART UNIT	PAPER NUMBER
1645	

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

☐ 7. Other: _____

Applicant Must Provide:

☒ An initial or <u>substitute</u> computer readable form (CRF) copy of the "Sequence Listing".

☒ An initial or <u>substitute</u> paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support
    Technical Assistance.......................................703-287-0200
    To Purchase PatentIn Software.......................703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
J. Hines	June 9, 2000	Chatfield et al	KCO1003US

EXAMINER	
J. Hines	
ART UNIT	PAPER NUMBER
1645	11

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

1.   This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CAR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CAR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

2.   Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CAR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CAR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CAR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ja-Na Hines whose telephone number is (703)3-5-0487. The examiner can normally be reached on Monday-Thursday from 7:30-5:00 pm (Eastern Time) and 7:30-4:00 PM every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette Smith, can be reached at (703)308-3909. The FAX phone number for group 1600 is (703)308-4242.

An inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

PATRICIA A. DUFFY
PRIMARY EXAMINER

/600

1645

CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/591,447B

Filing Date: 6/9/2000

Date Processed by STIC: 2/4/2002

STIC Contact: **Mark Spencer, 703-308-4212**

RECEIVED

Nature of Problem:

FEB 1 3 2002

TECH CENTER 1600/2900

The CRF (was):

___ (circle one) Damaged or Unreadable (for Unreadable, see attached)

___ Blank (no files on CRF) (see attached)

___ Empty file (filename present, but no bytes in file) (see attached)

___ Virus-infected. Virus name: _____ The STIC will not process the CRF.

___ Not saved in ASCII text

___ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.

___ Did not contain a Sequence Listing. (see attached sample)

___ Other:

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS. SEE BELOW FOR ADDRESS:

http:/www.uspto.gov/web/offices/pac/checker

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.
Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.
Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. **EFS-Bio** (<http://www.uspto.gov/ebc/efs/downloads/documents.htm> , **EFS Submission User Manual** - ePAVE)
2. **U.S. Postal Service:** U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. **Hand Carry directly to:**
   U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
   Or
   U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. **Federal Express, United Parcel Service , or other delivery service t : U.S. Patent and Trademark Office,** Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

```
C:\WINDOWS>A:


Not ready reading drive A
Abort, Retry, Fail?F

Not ready reading drive A
Abort, Retry, Fail?F
Current drive is no longer valid>
```

← onscreen messages

when STIC PC tried

to read submitted disk

```
C:\WINDOWS>A:


Not ready reading drive A
Abort, Retry, Fail?F

Not ready reading drive A
Abort, Retry, Fail?F
Current drive is no longer valid>
```

←

```
C:\WINDOWS>A:

Not ready reading drive A
Abort, Retry, Fail?F

Not ready reading drive A
Abort, Retry, Fail?F
Current drive is no longer valid>
```

← onscreen messages

when STIC PC tried

to read submitted disk

```
C:\WINDOWS>A:

Not ready reading drive A
Abort, Retry, Fail?F

Not ready reading drive A
Abort, Retry, Fail?F
Current drive is no longer valid>
```

←